

REMARKS

Following the final rejection dated May 18, 2005, reconsideration and further examination are respectfully requested in view of the foregoing amendments and following remarks. No claims are cancelled by this Amendment, claim 19 is amended, and claims 35-39 are added. As a result, claims 1-15, 17-22, 27-32 and 34-39 are pending in the application.

The Office Action includes: a rejection of claims 1-5, 8-15, 17-22, 27-32 and 34 under 35 U.S.C. §103(a) in view of U.S. Patent 6,466,971 ("Humpleman") and in view of U.S. Patent Application Publication 2003/0140090 ("Rezvani"); and a rejection of claims 6 and 7 under 35 U.S.C. §103(a) in view of the Humpleman patent and further in view of the Rezvani Patent Application Publication and yet further in view of in view of U.S. Patent 5,973,683 ("Cragun").

§103 Rejections in view of Humpleman and Rezvani

Claims 1-5, 8-15, 17-22, 27-32 and 34 stand rejected under §103(a) in view of the hypothetical combination of Humpleman and Rezvani.

The Humpleman patent involves a system for command and control of client/server devices in a network. The Office Action cites col. 7, lines 7-20 and 48-58 of Humpleman in the pending §103 rejection. It is believed that the Office Action contends either that the GCO (graphical control object) or else the CL (command language) interface commands which are discussed in the cited passage are akin to the interface functions of the claimed invention. This contention is respectfully traversed.

The present invention involves the user interface which a person may use to interact with, and control, an information appliance. Figure 4 of the present application shows several examples

of information appliances and remote devices. Figure 5 shows examples of user interface representations which may be used by a person to control and interact with the information appliances and remote devices. The Office Action's contention, mentioned above, is traversed because the GCO and CL of Humpleman allow a *client device to control the server device*, rather than allowing a human user to control the device in which the interface resides. In fact the passage of Humpleman cited in the Office Action expressly states:

Each server device 14 can also include a GCO 22 for the server device 14 to be directly controlled by a client device 12. However, a GCO 22 does not need to be included in a server device 14 that is not directly controlled by a client device 12 and only communicates with other server devices 14. Each server device 14 also includes a command language (CL) interface 30 and a library of commands. The library of commands includes the commands that the server device 14 utilizes to send and receive information for providing its service. However, a command language is not necessary for user control as shown in FIG. 4 and described above.¹

The Humpleman patent does not disclose or suggest configuring a user interface for an information appliance as claimed in the present application. For example, Humpleman patent does not disclose or suggest "receiving, through a network to the information appliance, user interface data describing one or more user interface functions on a remote device, wherein at least some of the one or more user interface functions may be added to the information appliance from the remote device," as recited in claim 1. The GCO and CL of the Humpleman patent allow a client device to control the server device, and therefore are not user interface functions.

The Office Action recognized that the Humpleman patent does not teach comparing the user interface data with a user interface template of the information appliance, the user interface template including one or more representations. The Office Action cited the Rezvani patent

application to overcome this feature missing from Humpleman. Without addressing the merits of whether Rezvani discloses the features of the present invention for which it is cited in the Office Action, it is respectfully submitted that Rezvani does not overcome the aforementioned deficiencies of the Humpleman patent. The Rezvani patent application involves systems and methods for automatically capturing, uploading and publishing content. Rezvani mentions the use of a monitoring module 28 for remotely monitoring or controlling networked devices.² However, the Rezvani application does not overcome the deficiency of the Humpleman patent. For example, Humpleman and Rezvani, either taken singly or as a hypothetical combination, do not disclose or suggest “receiving, through a network to the information appliance, user interface data describing one or more user interface functions on a remote device, wherein at least some of the one or more user interface functions may be added to the information appliance from the remote device,” as recited in each of claims 1, 13 and 19. Humpleman and Rezvani also do not disclose or suggest “logic capable of receiving user interface data describing one or more user interface functions on the remote device through the network, wherein at least some of the one or more user interface functions may be added to the information appliance from the remote device,” as recited in each of claims 9 and 27.

Accordingly, it is respectfully submitted that the hypothetical combination of Humpleman and Rezvani do not disclose the features of independent claims 1, 9, 13, 19 and 27. The dependent claims are believed to be allowable at least by virtue of their dependency, and because they recite additional novel subject matter. Therefore, withdrawal of the rejection is requested.

¹ Humpleman, col. 7, lines 50-61.

§103 Rejections in view of Humpleman, Rezvani and Cragun

Claims 6 and 7 stand rejected under §103(a) in view of the hypothetical combination of Humpleman, Rezvani and Cragun.

The Office Action recognizes that Humpleman and Rezvani do not teach the features of claims 6 and 7. The Office Action therefore relies upon a third-cited patent, the Cragun patent, to purportedly teach the features missing from Humpleman and Rezvani. Without addressing the merits of whether the Cragun patent teaches the features of claims 6 and 7 for which it relied upon, it is respectfully submitted that Cragun does not overcome the deficiencies of Humpleman and Rezvani discussed above.

Accordingly, it is respectfully submitted that the hypothetical combination of Humpleman, Rezvani and Cragun does not disclose or suggest the features of claims 6 and 7. Therefore, withdrawal of the rejection is respectfully requested.

² Rezvani, page 8, paragraph 0089.

CONCLUSION

The present Amendment makes a diligent effort to place the claims in condition for allowance. However, should there remain any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, at telephone number 1.703.739.0573 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

August 18, 2005

A handwritten signature in cursive script, reading "Scott Charles Richardson", is written over a horizontal line.

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